IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Ah Hwee TAN et al. Applicants:

Confirmation No.: 8334

I.A. Filed:

24 October 2002

Group Art Unit: 2121

Serial No.:

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Examiner:

A. L. Kennedy

Filed:

October 4, 2005

Atty. Docket No.:

2085-04100

Date: March 6, 2009

For:

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Text Documents

PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 CFR 1.181 OR, IN THE ALTERNATIVE, PETITION TO REVIVE ABANDONED APPLICATION DUE TO UNAVOIDABLE DELAY UNDER 37 CFR 1.137(A)

Mail Stop Petitions Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the Notice of Abandonment dated September 25, 2008 in the above-identified application, Applicants petition the Office to withdraw the holding of abandonment and to reinstate this application. The office action of March 4, 2008 was not received by Applicants and thus Applicants could not have timely responded to the office action. The delay from the time the response was due to the filing of this petition was unavoidable. Applicants believe no fee is due.

There are two statements accompanying this petition to establish the unavoidability of the delay. One statement is from the undersigned who is US counsel to the Singapore assignee. The other statement is from the assignee's Singapore counsel. The statements collectively establish that the undersigned first became aware of the existence of the office action after the 6 month period of time had expired. The undersigned then promptly made the Singapore counsel for the assignee aware of the issue. The Singapore counsel then had numerous communications with the assignee. The assignee is a large entity and various departments had to be involved in formulating the response to the office action. The Singapore counsel went through numerous iterations of a proposed amendment and argument with various departments of the assignee. That process took from approximately last October until the filing of this petition and is a typical process for the assignee.

The delay from the time the response was due until the filing of this petition was not intentional and, instead, was unavoidable. Accordingly, Applicants respectfully ask the Office to grant this Petition to Withdraw the Holding of Abandonment under 37 CFR 1.181.

In the event, the Office believes this Petition should have been filed within two months of receiving the Notice of Abandonment, Applicants hereby submit a Petition to Revive Due to Unavoidable Delay under 37 CFR 1.137(a). Applicants believe no fee is required to support the Petition the Holding of Abandonment under 37 CFR 1.181, but the Office is authorized to charge Deposit Account No. 03-2769 for any fee otherwise owed. If the Office will only grant a Petition to Revive under 37 CFR 1.137(a), the Office is hereby authorized to charge Deposit Account No. 03-2769 for any fee required to support such a Petition. Further, if any extensions of time are needed, Applicants hereby petition for any necessary time extensions and authorize fees for such time extensions to be charged to Deposit Account No. 03-2769.

Respectfully submitted, /Jonathan M. Harris/

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